(SRI RAMAKRISHNA HEGDE)

The additional income by this increase in show tax will be roughly Rs. 5 to 8 lakhs. Similarly, the additional income from enhancement of surcharge on entertainment tax will be roughly Rs. 25 lakhs. The additional income derived from this Bill be in a substantial measure utilised for the promotion of the film industry in this State. There has been a very long-standing demand that sufficient encouragement is not given for Kannada films and their production in Mysore State by the State Gevernment. The idea is not only to help establishing a film studio in Bangalore but also to give encouragement to the production of Kannada films by giving financial assistance either by way of loan or subsidy. Therefore, this Bill has been introduced and I am sure Hon'ble members will welcome this measure.

Member's Representations

Sri S. M. KRISHNA (Maddur).—I beg to raise a very serious matter that has taken place after Queston Hour. Five of the hon'ble members of this House have been taken to custdoy by the police. Now I think more than one question crops up.

Mr. SPEAKER.—Are we going to discuss this question at this hou whithout ascertaining facts ?

I have to inform the House at this stage that I have received notice from the hon'ble member of certain facts. It includes, as he referred to, the arrest of certain members of the Legislature. The House is aware that if any hon'ble member is arrested at any time anywhere it must be reported to the Speaker at once. I have not received any intimation as yet. I am calling for information. Without full information if we spend the time of the House on this question now, we will have to re-do it when the full information comes to us. So, I suggest that we may take up this question on Monday after Question Hour.

Sri S. M. KRISHNA.—You were pleased to say that when a member of this House is arrested the Speaker has to be informed.

Mr. SPEAKER.—I do not know whether my Office has got intimation.

Sri S. M. KRISHNA.—The fact that I have placed before this House is that certain members were arrested at about 9 o'clock this morning. I would like to know from the Speaker whether the Police who arrested these hon'ble members have reported this mater to the Speaker, and whether this arrest would involve breach of privilege of this House. These are the two questions involved and I would like the Speaker to take serious notice of these matters.

Mr. SPEAKER.—So, far as the two points are concerned, there is no scope for debate at all. I have been on the dias and therefore it is not possible for me to say what has been received and what has not been

received. It may be in the course of transmission. Therefore, so far as the first point is concerned, it has to be sifted, verified and facts gathered.

So far as the other point is concerned, without perhaps fuller facts it is too early for us to debate. I said tomorrow and the day after tomorrow are holidays and if we are sitting in the afternoon, I could have got fuller details.

Sri S. M KRISHNA.—There are certain matters which cannot brook any delay. What the May's Parliamentary Practice says is that if any member of either House of Parliament is arrested the fact shall be immediately communicated to the Parliament when it is sitting. We are sitting and so it should be immediately communicated.

Mr. SPEAKER.—He should find out what the facts are. Whether the communication has been received or not. I will ascertain the position before we get up at 12-30 P.M.

Sri C. J. MUCKANNAPPA.—Some time ago you observed, Sir, that if the police wants to arrest any member when the Assembly is in session, your permission is required.

Mr. SPEAKER.—Not necessary; can the Hon'ble Member say 'under what law'?

Sri C. J. MUCKANNAPPA.—Was the matter brought to your notice before they were arrested.

(Sri Sivappa rose).

Mr. SPEAKER.—The Hon'ble the Leader of the Opposition is making it impossible for me to carry on the work.

Sri S. SIVAPPA.—It is a very serious matter. The fact is that they were arrested within the precincts of Vidhana Soudha.

Mr. SPEAKER.—Should not the facts be gathered?

Sri S. SIVAPPA.—The fact is that it has not come to your notice; that is still further serious.

Sri K. LAKKAPPA.—They have arrested these members flouting the provision of the Act I am going to quote. The relevent Act is the Mysore Restriction of Meetings near the Legislative Assembly Act, 1951. Section 2 of this Act reads:

> "Notwithstanding anything contained in any law for the time being in force, on any day on which the State Legislative Assembly meets, no person shall, convene, or give any notice for convening, or take part in any meeting, assembly or procession consisting of fifty or more persons, in any street, square or open place, within a distance of half a mile from the place of meeting of the State Legislative Assembly for the purpose or on the pretext of considering, preparing or submitting any petition, etc."

Sri M. V. RAMA RAO (Minister for Home).—Sir, I just now came to this House and I do not know what is the subject matter of discussion.

Mr. SPEAKER.—A communication has come from one of the Hon'ble Members that five Hon'ble Members have been taken into custody by the Government or arrested by the police and it is said that they have been arrested within the precincts of the House and it is also said that they have been arrested under a particular Act of which Sri Lakkappa seems to be having positive knowledge.

† Sri M. V. RAMA RAO.—Sir, this morning you spoke to me in regard to the five Hon'ble Members of this House who desired to undertake a fast in front of the Vidhana Soudha and the situation arising out of it. I understood you to be speaking to me at a time when you had the information which was at that time available to you in regard to the proposed demonstration. After you spoke to me, I proceeded to ascertain the facts and it appeared that the members of the Maharashtra Ekikaran Samathi who happen to be members of this House wanted to stage a demonstration in front of the Vidhana Soudha. I do not know the object of that demonstration; they have not communicated anything to me as to why they want to make a demonstration and for what purpose. My understanding of the matter is that the Hon'ble Members who have been elected to this House or the other House and who have taken an oath of allegiance to the Constitution owe it to themselves to transact public business in the manner approved in a parliamentary system of Government. This is the forum for them to transact any business which they consider important. I should be astonished if any Hon'ble Members say that the business which should be transacted on the floor of the House should be transacted on the lawns of Vidhana Soudha or in the streets of the City of Bangalore and I am sure no Hon'ble Member would assert that the legitimate business which members of this House have to transact should be transacted elsewhere than in this House. I think there will be complete unanimity on that score.

Then, I find in this notice of motion an averment concerning the right of a member of the Assembly to stage a protest or undertake a fast. I know of no law or provision in the Constitution which provides for any such right. While the ordinary law of the land is there which applies to every citizen irrespective of the fact that he is a member of the Assembly or not, members of the Legislature have certain privileges which are provided to enable them to function as members of the Legislature. These privileges are not in the nature of a cloak or an armour which they can put on in order to carry on activities not connected with the business in the Legislature. This so-called privilege will not confer any immunity on them from the operation of the applicability of the law of the land. Because I happen to be a member of legislative body, I cannot go and set fire to a hay stack and escape the consequences. If as a citizen governed by the law of the land wants to do anything or say anything, I must be prepared to take the consequences of it. This is a free country and

every citizen is free to say and do what he thinks fit and take the consequences. If he transgresses any law he will naturally invite the consequences upon himself or upon others who are associated with him. In so far as this particular matter is concerned, the actual facte of the matter are that the Maharashtra Ekikaran Samthi, for whatsoever purpose the agitation might have been conceived, does not elicit any sympathy from the people of this State, as far as I am aware.

If the Hon'ble Member who says it cannot be so and if he has any sympathy with then, he may show that sympathy. I do not stand in his way. He may associate with them. The position of the matter as I have said is the MES agitation finds on sympathy. These agitators had invited the attention of a large number of the Kannada *Chaluvaligars* who were hostile toward MES. It is the business of the Government to see that no breach of peace will occur either near the precincts of the Vidhana Soudha or elsewhere. It is the business of the Government to maintain law and order and see that no breach of peace occurs whatever may be the provocation. The agitators who made a declaration that they were going to undertake this fact fast or stage this demonstration have invited the attention of those who are not in sympathy with them These Kannada agitators have undertaken a fast or a protest demonstration. They have already commenced a fast or a protest demonstration and they have been kept out of the Vidhana Soudha premises and that agitation has been taking place somewhere else. It is unthinkable that one kind of agitation engineered or sponsored by one group can be allowed to go near Vidhana Soudha and another group of people who want to carry on the demostration cannot be permitted to do so. I have no desire to make any comments as to what has happened some days ago I would like to bring to the notice of this House that the Hon'ble Members of this House who think it fit to engage themselves in the procession contrary to the Act which the Hon'ble Member Sri Lakkappa has just now referred to and proceed to march in a procession and come near the Vidhana Soudha to hold meeting there and address group of people, they will be prevented according to law from exercising their rights as members of this House for gaining entry to the Legislative Assembly. Let me assure every Hon'ble Member of this House that nobody is interested in preventing an Hon'ble Member from functioning in this House in the manner that he choses to. But it is the business of the Government to see that a group of people is not allowed to go into the Vidhana Soudha especially when the Assembly is in Session, otherwise than in accordance with the rules which govern the admission to public to the galleries for which passes are issued by the egislature ecretariat. In particular this morning the demonstration was likely to lead to a lot of disturbances and it would have prevented the business of this House. Those Hon'ble Members, who are I believe, at one stage, advised by you did not think it fit to accept your advice and proceeded to go and squat in front of the Vidhana Soudha, have to be taken into protective custody for giving them protection from people who would have ill treated them if we had

(SRI M. V. RAMA RAO)

not gone to their rescue. You were kind enough to suggest that they might come to your ante-chamber adjoining to the Legislative Assembly Hall. They did not accept. Therefore they had to be removed to another place where protection could be given to them from those who are hostile to them or who are likely to commit acts which may injure their personal safety. I hope no Hon'ble Member of this House would want that Members of the Maharastra Ekikarana Samithi should go with any bodily harm or any other injury consequent upon their desire to stage a demonstration which is wholly unecessary, because any agitation any speech or sponsoring of any motion or resolution in any matter in which they are interested can be done on the floor of the House with your permission according to the rules of business of this House. I said earlier there is nothing like a right to stage protest or to undertake a fast and no such rights are guaranteed anywhere and any one who is interested in undertaking a fast or staging a demonstration or lodging a protest in a manner which he considers as right must be prepared to take the consequences. I am not closing this matter to-day and this could be dealt with on Monday.

MR. SPEAKER.—I reserve it for Monday. Now the debate on the Entertainment Tax (Amendment) Bill will Commence.

MYSORE ENTERTAINMENT TAX (AMENDMENT) BILL, 1966.

(*Motion to consider*—Contd).

†ಶ್ರೀ ಎಚ್. ಆರ್. ಕೇಶವಮೂರ್ತಿ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಇವತ್ತಿನ ದಿವನ ಮಂಡಿಸಿರತಕ್ಕ ಬರ್‌ನ financial memorandum ನಲ್ಲಿ ಖರ್ಚು ಎಷ್ಟು ಆಗುತ್ತದೆ. ಎಂದು ಹೇಳಲಿಲ್ಲ. ಈ ಬಿಲ್ಲನ್ನು ತಿರುವಿ ಹಾಕಿ ನೋಡಿದರೆ Original Definitions ನಲ್ಲಿ entertainment ಎಂದರೆ ಈ ರೀತಿ ಹೇಳುತ್ತಾರೆ. "entertainment" includes any exhibition, performance, amusement, game, sport or race to which persons are admitted for payment;

ಮುಖ್ಯವಾಗಿ ಈಗಿನ ಡೆಫನಿಷ್ನಲ್ಲಿ ಅಮ್ಯೂಸ್‌ಮೆಂಟ್ ಕೈಬಿಟ್ಟಿದ್ದಾರೆ. ನಾನು ಕೇಳುವುದು amusement entertainment ಅಲ್ಲವೇ ? amusement ಬಿಟ್ಟರೆ ಟ್ಯಾಕ್ಸ್ ಕಡಿಮೆಯಾಗುತ್ತದೆ. ಆದರಂತೆ Exhibition ನಲ್ಲಿ ಕೊಡಬೇಕಾದಷ್ಟು ಆದಾಯ ಬರುತ್ತದೆ. ಅವರು ಟ್ಯಾಕ್ಸ್ ತೊಂದರೆಯಾಗುವುದಿಲ್ಲ. ಈ ಆದಾಯವನ್ನು ಕೈಬಿಟ್ಟರೆ ಸರ್ಕಾರಕ್ಕೆ ನ್ಯಾಯವಾಗಿ ಬರುವ ಆದಾಯ ಕುಂಠಿತವಾಗುತ್ತದೆ ಎಂದು ಹೇಳುತ್ತೇನೆ. ಆದ್ದರಿಂದ ಈಗಲಾದರೂ amusement and exhibition ಇವೆರಡನ್ನು ಡೆಫನಿಷನ್‌ನಲ್ಲಿ ಸೇರಿಸಬೇಕು ಎಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಇನ್ನು Statement of objects and reasons ನಲ್ಲಿ magic shows and dances etc. ಇವುಗಳಿಗೆ ಉತ್ತೇಜನ ಕೊಡಲು ಅವುಗಳ ಮೇಲೆ ಟ್ಯಾಕ್ಸ್ ಹಾಕುವುದನ್ನು ಕೈಬಿಟ್ಟಿದ್ದೇವೆಂದು ಹೇಳಿದ್ದೀರಿ. magic shows and dances etc. ಗಳನ್ನು ಪತಕ್ಕೆ ಮಾಡುತ್ತಾರೆ ? They exploit people and take money from them- ಆ exploitation ನಲ್ಲಿ ಒಂದು ಭಾಗವನ್ನು ಸರ್ಕಾರ ತೆಗೆದುಕೊಂಡರೆ ಅವರಿಗೆ ಏನು ನಷ್ಟವಾಗುತ್ತದೆ ? ಆದ್ದರಿಂದ ಇಂತಹ exploitation ಮೇಲೆ ಟ್ಯಾಕ್ಸ್ ಹಾಕುವುದು ನ್ಯಾಯಬದ್ಧವಾದುದು ಎಂದು ಹೇಳುತ್ತೇನೆ. ಅದಕ್ಕಾಗಿ dances and magic shows ನ್ನು ಕೂಡ ಈ definition ನಲ್ಲಿ ಅಳವಡಿಸಬೇಕು ಎಂದು ಸಲಹೆ ಮಾಡುತ್ತೇನೆ.